

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BRANSON LAMBERT)
)
Petitioner,)
)
v.) 1:24-cv-148
)
RANDOLPH COUNTY COURT,)
)
Respondent.)

ORDER

On April 29, 2024, the United States Magistrate Judge's Order and Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 2, 3.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 2), is hereby **ADOPTED**. **IT IS FURTHER ORDERED** that this action is construed as a habeas petition under 28 U.S.C. § 2241 and **DISMISSED WITHOUT PREJUDICE** to Petitioner filing a new petition which corrects the defects cited in the Recommendation, after Petitioner exhausts all state court remedies, and the new petition must be accompanied by either the five-dollar filing fee or a current application to proceed in forma pauperis.

A Judgment dismissing this action will be entered
contemporaneously with this Order.

This the 20th day of November, 2024.

William L. Osten, Jr.
United States District Judge